

**§ 94.101**

EDITORIAL NOTE: At 68 FR 9784, Feb. 28, 2003, § 94.12 was amended by adding paragraph (f). The amendment could not be incorporated because paragraph (f) already exists in the section. For the convenience of the user, the added text is set forth as follows:

**§ 94.12 Interim provisions.**

\* \* \* \* \*

(f) Manufacturers may submit test data collected using the Annex VI test procedures to show compliance with Tier 1 standards for model years before 2007. Note: Starting in 2007, EPA may approve a manufacturer's request to continue using alternate procedures under § 94.102(c), as long as the manufacturer satisfies EPA that the differences in testing will not affect NO<sub>x</sub> emission rates.

**Subpart B—Test Procedures**

**§ 94.101 Applicability.**

Provisions of this subpart apply for testing performed by the Administrator or a manufacturer.

**§ 94.102 General provisions.**

(a) The test procedures specified in this part are intended to produce emission measurements that are equivalent to emission measurements that would result from emission tests performed during in-use operation using the same engine configuration installed in a vessel.

(b) Test procedures otherwise allowed by the provisions of this subpart shall not be used where such procedures are not consistent with good engineering practice and the regulatory goal specified in paragraph (a) of this section.

(c) Alternate test procedures may be used if shown to yield equivalent results, and if approved in advance by the Administrator.

**§ 94.103 Test procedures for Category 1 marine engines.**

(a) Gaseous and particulate emissions shall be measured using the test procedures specified in 40 CFR part 89, ex-

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cept as otherwise specified in this subpart.

(b) The Administrator may specify changes to the provisions of paragraph (a) of this section that are necessary to comply with the general provisions of § 94.102.

**§ 94.104 Test procedures for Category 2 marine engines.**

(a) Gaseous and particulate emissions shall be measured using the test procedures specified in 40 CFR part 92, except as otherwise specified in this subpart.

(b)(1) The requirements of 40 CFR part 92 related to charge air temperatures, engine speed and load, and engine air inlet restriction pressures do not apply for marine engines.

(2) For marine engine testing, charge air temperatures, engine speed and load, and engine air inlet restriction pressures shall be representative of typical in-use marine engine conditions.

(c) Conduct testing at ambient temperatures from 13 °C to 30 °C.

(d) The Administrator may specify changes to the provisions of paragraph (a) of this section that are necessary to comply with the general provisions of § 94.102.

[64 FR 73331, Dec. 29, 1999, as amended at 67 FR 68343, Nov. 8, 2002]

**§ 94.105 Duty cycles.**

(a) *Overview.* For the purpose of determining compliance with the emission standards of § 94.8, except for those in § 94.8(e), engines shall be tested using the appropriate duty cycles described in this section.

(b) *General cycle.* Propulsion engines that are used with (or intended to be used with) fixed-pitch propellers, and any other engines for which the other duty cycles of this section do not apply, shall be tested using the duty cycle described in the following Table B-1:

TABLE B-1—GENERAL MARINE DUTY CYCLE

Mode No.	Engine speed <sup>1</sup> (percent of maximum test speed)	Percent of maximum test power <sup>2</sup>	Minimum time in mode (minutes)	Weighting factors
1	100	100	5.0	0.20